

Message Text

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ACTION EA-06

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 H-01 SP-02
DHA-02 PRS-01 INR-05 CIAE-00 SSO-00 INRE-00 /037 W
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O 120841Z MAY 77
FM AMEMBASSY MANILA
TO SECSTATE WASHDC IMMEDIATE 9643

C O N F I D E N T I A L SECTION 1 OF 3 MANILA 7240

LIMDIS

E.O. 11652: GDS
TAGS: SHUM, RP
SUBJECT: DETENTION OF MRS. TRINIDAD HERRERA

REF: (A) MANILA 7164 (EXDIS); (B) MANILA 7158

SUMMARY: EMBASSY OFFICERS SPENT ALMOST TWO HOURS WITH MRS. HERRERA MORNING MAY 12. THEY SPOKE TO HER PRIVATELY FOR 15 MINUTES. SHE IS ADAMANT SHE WAS TORTURED. DISCUSSION AND HER PHYSICAL APPEARANCE INCLINE EMBOFFS TO BELIEVE SHE WAS IN FACT TORTURED AS CLAIMED. SHE STILL MAKESSTRICKEN IMPRESSION; SPOKE IN WHISPER, AND COMPLAINED OF CONSTANT BUZZING IN HER HEAD. SCARS ON HER THUMBS VISIBLE. SHE DENIED SHE WAS COMMUNIST, ALTHOUGH SHE ADMITS SHE MAY HAVE SAID SHE WAS UNDER TORTURE. METROCOM DEPUTY COMMANDER, WHO DENIED SHE WAS EVER CONFINED IN AREA WHERE SHE CLAIMS TORTURE TOOK PLACE, ASSERTS SHE HAS FABRICATED TALE TO EMBARRASS GOVERNMENT. PC GENERAL ZAFRA INFORMED MRS. HERRERA A LIEUTENANT HAS BEEN PLACED UNDER HOUSE ARREST PRESUMABLY IN CONNECTION WITH HER CASE. MG RAMOS TOLD CHARGE SAME THING LAST NIGHT AT DINNER FOR CINCPAC. AT CONCLUSION OF BICUTANT SESSION, EMBOFFS IMPRESSED ON GENRAL ZAFRA HIGH LEVEL INTEREST IN CASE AND EXPRESSED HOPE THOROUGH INVESTIGATION WOULD RESULT IN JUSTICE EVEN SHOULD THIS REQUIRE PUNISHMENT OF HIGH RANKING OFFICERS. ZAFRA

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APPEARED APPRECIATE INTEREST CASE HAS AROUSED, AS WELL AS FACT THAT IT COULD BECOME TOUCHSTONE OF GOP COMMITMENT TO IMPROVE ITS HUMAN RIGHTS RECORD. WE WILL BE FOLLOWING UP WITH MILITARY, DEPARTMENT OF NATIONAL DEFENSE AND PRESIDENT, IF NECESSARY, TO DETERMINE WHAT INVESTIGATION ACCOMPLISHES. END SUMMARY.

1. ON MORNING MAY 12 EMBOFFS (POLITICAL AND CONSULAR OFFICER) VISITED BICUTAN REHABILITATION CENTER. THEY WERE ACCCOMPANIED BY COL. BRASIL, DEPUTY METROCOM COMMANDER. DURING RIDE TO BICUTAN, BRASIL DENIED MRS. HERRERA HAD BEEN TORTURED AND CLAIMED SHE HAD FABRICATED STORY TO EMBARRASS GOVERNMENT. HE SAID THIS WAS COMMON PRACTICE OF PRISONERS WHO WANT TO MAKE TROUBLE. AT BICUTAN EMBOFFS MET MRS. HERRERA, HER ATTORNEYS SENATOR RODRIGO AND HIS SON, BRIGADIER GENERAL ZAFRA (DEPUTY PC COMMANDER FOR HOME DEFENSE), WHO MAJOR GENERAL RAMOS APPEARS TO HAVE PUT IN CHARGE OF INVESTIGATION, AND AT LEAST 12 FIELD GRADE MEMBERS OF THE METROCOM STAFF, AND COLONE OUANA OF COMMAND FOR ADMINISTRATION OF DETAINEES. AS EMBOFFS ARRIVED, THEY HEARD GENERAL ZAFRA TELL MRS. HERRERA A LIEUTENANT HAD BEEN PLACED UNDER HOUSE ARREST (PRESUMABLY UNDER SUSPICION OF BEING INVOLVED IN HER CASE). HE SAID SHE SHOULD NOT FEAR REPRISALS IF SHE IDENTIFIES PERPETRATORS OF ALLEGED TORTURE. ZAFRA SAID PRESIDENT MARCOS AND GENERAL RAMOS ARE PERSONALLY INTERESTED IN GETTING TO BOTTOM OF THIS CASE.

2. SENATOR RODRIGO THEN QUESTIONED MRS. HERRERA. HER RESPONSES WERE ALL IN TAGALOG WHICH IS STANDARD COURTOOM PRACTICE. MRS. HERRERA RECOUNTED DETAILS OF HER TORTURE ALONG LINES OF RODRIGO LETTER. SHE STATED THAT EFFORT WAS MADE TO FORCE HER TO ADMIT SHE WAS MEMBER OF COMMUNIST PARTY. SHE SAID SHE MAY HAVE ADMITTED THIS UNDER PRESSURE OF TORTURE. ELECTRIC SHOCKS ADMINISTERED BY TWO MEN IN CIVILIAN UNIFORM, ONE OF WHOM WAS CALLED "SIR." SHE SAID CONFIDENTIAL

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SHE COULD IDENTIFY HIM IF SHE SAW HIM. COL. BRASIL THEN INTERJECTED AND SAID THERE NO REPEAT NO RECORD OF MRS. HERRERA BEING DETAINED IN METROCOM INVESTIGATION UNIT (MIU) AND THAT SHE WAS NEVER THERE. MRS. HERRERA WAS THEN QUESTIONED AT LENGTH BY RODRIGO ON PHYSICAL SETUP OF PLACE WHERE SHE WAS INTERROGATED. SHE DESCRIBED IT IN CONSIDERABLE DETAIL, DREW DIAGRAMS AND SAID SHE HAD SEEN MIU ON SIGN IN AREA WHERE SHE DETAINED. BRASIL DID NOT FOLLOW UP.

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3. COL. SOLOMON, PC DEPUTY JUDGE ADVOCATE, ASKED MRS. HERRERA WHY SHE HAD BEEN HIDING FOR ONE YEAR IF SHE HAD NOTHING TO FEAR AND WAS NO A COMMUNIST. SHE ANSWERED THAT SHE WAS AFRAID OF BEING ARRESTED. COL. OUANO ASKED WHY SHE HAD NOT GONE TO MILITARY VICAR BISHOP GAVIOLA WHO HAD HELPED HER ON TWO PREVIOUS OCCASIONS WHEN SHE WAS ARRESTED. SHE SAID SHE DID NOT WISH TO INVOLVE HIM. OUANO CLAIMED HERRERA CASE HAD BEEN DISCUSSED IN CHURCH-MILITARY LIAISON COMMITTEE AND THAT SHE HAD "LIED" ABOUT TALKING TO GAVIOLA. RODRIGO OBJECTED AND OUANO ADMITTED GAVIOLA MAY HAVE KNOWN OF HER CASE INDEPENDENTLY AND RAISED IT IN CMLC.

4. EMBOFFS ASKED MRS. HERERA WHY SHE THOUGHT GOVERNMENT WOULD TORTURE SOMEONE AS PROMINENT AS SHE. SHE REPLIED SHE HAD NO IDEA. WHEN EMBOFFS ADVERTED TO METROCOM THESIS SHE WAS MAKING UP STORY TO EMBARRASS GOVERNMENT, SHE DENIED THIS WAS TRUE. SHE REITERATED HER ONLY INTEREST IN JUSTICE FOR HER AND TO THOSE INVOLVED IN HER MALTREATMENT.

5. DURING OPEN SESSION WHICH LAST OVER HOUR AND WAS RATHER INFORMAL AND OBSERVED BY OTHER DETAINES, MRS. HERRERA SPOKE ALMOST IN WHISPER. SHE CLOSED HER EYES FREQUENTLY AND HER EYELIDS FLUTTERED. EMBOFF ASKED IF CONFIDENTIAL

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SHE HAD BEEN GIVEN ANY EDUCATION OR DRUGS WHILE IN BICUTAN OR CRAME. SHE SAID ONLY MEDICATION HAD BEEN PENICILLIN TABLETS GIVEN BY FELLOW INMATES AT BICUTAN FOR INFECTED Pimple ON HER RIGHT TEMPLE. BICUTAN DOCTOR INTERJECTED THAT WHEN SHE WAS ADMITTED TO BICUTAN MRS. HERRERA HAD REFUSED MEDICAL EXAMINATION AND HAD BEEN IN A DISTURBED STATE. EMBOFF ASKED WHY SHE WAS NOT PUT IN MEDICAL FACILITY OR AT LEAST UNDER MEDICAL OBSERVATION. DOCTOR DID NOT REPLY. ASKED WHETHER STATE HE DESCRIBED MIGHT HAVE RESULTED FROM MALTREATMENT, DOCTOR DID NOT SPECULATE, BUT SAID

SHE HAD DISPLAYED "PROFOUND ANXIETY."

6. EMBOFFS THEN ASKED SEE MRS. HERRERA ALONE OUTSIDE OF BUILDING. GENERAL ZAFRA READILY ASSENTED, BUT BRASIL SAID "WITHOUT HER LAWYER." EMBOFFS REPLIED THIS WAS THEIR INTENTION AND REPARED TO YARD WHERE THEY SPOKE 15 MINUTES WITH HER. EMBOFF TOLD HER OF OUR HIGH-LEVEL INTEREST IN HER CASE. HE SAID OUR PRIMARY CONCERN WAS HER MALTREATMENT. HE SAID SHE SHOULD UNDERSTAND HER POLITICAL BELIEFS INCIDENTAL, AND ASKED AGAIN WHETHER SHE WAS MEMBER OF COMMUNIST PARTY. MRS. HERRERA SAID NO, BUT ADMITTED THAT SHE MAY HAVE MET COMMUNISTS IN COURSE OF HER WORK WITH ZOTO. EMBOFF ASKED ABOUT HER RELATIONSHIP WITH FATHER DE LA TORRE WITH WHOM HE UNDERSTOOD SHE HAS HAD SEVERAL CONVERSATIONS WHILE IN BICUTAN. MRS. HERRERA SAID THAT WHEN SHE WAS FIRST ADMITTED TO BICUTAN SHE DID NOT EVEN RECOGNIZE DE LA TOREE. ASKED WHETHER SHE WAS CLAIMING TORTURE TO EMBARRASS GOVERNMENT, SHE SAID ABSOLUTELY NOT. HER PRIMARY PURPOSE WAS IN OBTAINING JUSTICE. EMBOFF WHO HAD MET WITH MRS. HERRERA DURING CONGRESSMAN FRASER'S VISIT IN 1975, EXPRESSED SURPRISE AT HER CURRENT DEMEANOR AND APPEARANCE. HE RECALLED HER AS DYNAMIC, ARTICULATE BRIEFER ON LAST OCCASION. SHE SAID HER PRESENT STATE DIRECT RESULT OF HER TORTURE. SHE CLAIMED SHE WAS STILL AFFECTED.

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BY BUZZING IN HER HEAD AND HAD NOT CAUGHT UP ON SLEEP LOST WHEN HELD IN CRAME. SHE SAID SHE ALSO HAS BEEN AFFLICTED BY NIGHTMARES. PRINCIPAL ONE IS HER ZOTO FRIENDS HAVE TURNED ON HER AND ARE DEMONSTRATING AGAINST HER.

7. AFTER PRIVATE SESSION WITH MRS. HERRERA, EMBOFFS SPOKE WITH GENERAL ZAFRA. THEY THANKED HIM AND GENERAL RAMOS FOR OPPORTUNITY TO WITNESS INFORMAL INVESTIGATION AND DISCUSS HER CASE WITH MRS. HERRERA. EMBOFFS RECALLED DISCUSSION BETWEEN CHARGE AND PRESIDENT MARCOS AND EMPHASIZED HIGH LEVEL OF INTEREST IN THIS CASE. EMBOFFS EXPRESSED PROFOUND CONCERN THAT INVESTIGATION WOULD BE AS THOROUGH AND AS EXPEDITIOUS AS POSSIBLE AND THAT RESULT WOULD BE SUCH ALL THOSE RESPONSIBLE FOR TORTURE, IF IT OCCURRED, BE PUNISHED. ZAFRA REPLIED THAT PRESIDENT, GERNERAL RAMOS, ETC., ALL DECRIDED DETAINEE MALTREATMENT BUT THAT "IN AN ARMY AS BIG AS OURS" THERE IS ALWAYS THE POSSIBILITY THAT SOME "BAD EGGS" WOULD ACT IN A WAY WHICH VIOLATED POLICY. EMBOFFS SUGGESTED HERRERA CASE MIGHT WELL BE VIEWED AS TOUCHSTONE OF GOP'S INTENTION TO IMPROVE ITS HUMAN RIGHTS RECORD.

8. COMMENT: THUS FAR GOP HAS ACTED QUICKLY AND COMMENDABLY
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IN GIVING EMBOFFS ACCESS TO MRS. HERRERA. TECHNICAL ARREST OF LIEUTENANT (IDENTIFIED BY RAMOS TO CHARGE AS LT. MANATELA (PHONETIC) SUGGESTS THAT THERE MAY BE DISPOSITION IN SOME QUARTERS TO CREDIT HER CHARGES DESPITE THE FLAT DENIAL BY METROCOM DEPUTY COMMANDER. EMBOFFS PERSONAL IMPRESSION, BASED ON MRS. HERRERA'S DEMEANOR TODAY AS CONTRASTED WITH HIS RECOLLECTION OF HER TWO YEARS AGO, AND THE DISCUSSIONS WITH HER, IS THAT SHE PROBABLY WAS TORTURED AS CLAIMED. CONS OFFICER CAME TO SAME CONCLUSION. SCARS ON HER THUMBS STILL VISIBLE. METROCOM VIEW THAT SHE IS FABRICATING STORY DOES NOT SEEM PERSUASIVE, ESPECIALLY SINCE SHE HAD BEEN DETAINED SEVERAL TIMES PREVIOUSLY AND NEVER CHARGED MALTREATMENT. WHETHER GOP IS PREPARED TO FOLLOW THROUGH TO BITTER END ON INVESTIGATION REMAINS TO BE SEEN. IT WOULD BE EASY TO THROW ONE LIEUTENANT TO THE WOLVES. MOREOVER, MORE IMPORTANT WILL BE GOP'S WILLINGNESS TO PUNISH LIEUTENANT'S SUPERIORS UP THE LINE TO DEMONSTRATE CONCLUSIVELY TO ALL THAT TORTURE IS NOT COUNTENANCED, AND THAT PERPETRATORS WILL NOT SIMPLY HAVE THEIR WRISTSSLAPPED.

9. ASPECT OF CASE WHICH WE SHOULD BE SENSITIVE TO IS POSSIBILITY IT BECOMES EMBROILED IN MILITARY FACTIONAL RIVALRY. THIS POSSIBILITY PERHAPS ENHANCED BY RECENT BG PROMOTION LIST IN WHICH GENERAL RAMOS WAS A LOSER AND VER A WINNER. IT IS POSSIBLE THAT RAMOS MAY WISH TO PUSH INVESTIGATION EVEN IF IT SERIOUSLY EMBARRASSES METROCOM. THIS WOULD BE IN INTEREST OF JUSTICE, BUT QUESTION WHEN WOULD BE WHETHER PRESIDENT WOULD ALLOW METROCOM AND ITS COMMANDER OLIVAS, WHO IS

BEHOLDEN TO GENERAL VER, TO BE EMBARRASSED. IN ANY EVENT, WE SHALL CONTINUE TO MONITOR CASE CLOSELY, MAKING CLEAR WE EXPECT THOROUGH INVESTIGATION AND WILL NOT BE SATISFIED WITH MERE COVER-UP OR TOKEN PUNISHMENT OF LOWER RANKS.

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10. CHARGE TOLD TAMOS TODAY AT MILITARY DEFENSE BOARD LUNCHEON THAT WE APPRECIATED PROMPT ACCESS TO MRS. HERRERA AND EXPRESSED GRATIFICATION WITH HIS EFFORTS "UP TO THIS POINT."

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Message Attributes

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